

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

Case No. 3:18-cr-0017

-vs-

JOSHUA LEAVELL

Judge Thomas M. Rose

Defendant

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ENTRY AND ORDER DENYING DEFENDANT'S PRO SE MOTION  
FOR APPOINTMENT OF COUNSEL TO FILE A MOTION FOR COMPASSIONATE  
RELEASE (DOC. 38)

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This matter comes before the Court pursuant to a letter, which the Court considers a pro se Motion for appointment of counsel to file a Motion for compassionate release under 18 U.S.C. §3582(c)(1)(A) (Doc. 38).

In said Motion Defendant offers no argument as to why counsel is necessary except that he is a prisoner and unable to afford one.

Further Defendant offers absolutely no argument or evidence of any existing medical issues upon which there could be a finding of "extraordinary or compelling reasons" by this Court.

There is no general constitutional right to appointed counsel in post-conviction proceedings under 18 U.S.C. § 3582(c)(2). To be sure, the Court has discretion to appoint counsel if the interest of justice so require. See generally, 18 U.S.C. §3006 A (providing interests of justice standard for appointment of counsel in similar post-conviction proceedings). Given that Mr. Leavell has not provided any evidence or argument of any stated medical issues, appointment of counsel is not appropriate at this time. Said Motion is DENIED.

IT IS SO ORDERED.

July 7, 2020

\*/Thomas M. Rose

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Thomas M. Rose, Judge  
United States District Court